BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting

January 19, 2010

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 1:01 P. M., Tuesday, January 19, 2010, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Mark Dudenhefer, Chairman; Paul V. Milde III, Vice Chairman; Harry E. Crisp II, Gary F. Snellings, Cord A. Sterling, Susan B. Stimpson, and Robert "Bob" Woodson.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney; Marcia C. Hollenberger, Chief Deputy Clerk; Pamela L. Timmons, Deputy Clerk; associated staff and interested parties.

Work Session: Economic Development; Redevelopment Plan Mr. Tim Baroody, Deputy County Administrator/Director of Economic Development and Legislative Affairs, introduced the item and turned the presentation over to Mr. Brad Johnson, Redevelopment Administrator, and John Crouse, of CMSS Architects, PC who gave a presentation and responded to Board members questions. Mr. David Gayle, Assistant Director of Legislative Affairs, was asked to provide to a report/legislative update to the Board on Transfer of Development Rights.

Mr. Milde motioned, seconded by Mr. Snellings, to defer th Redevelopment item to the February 2nd meeting.

The Voting Board tally was:

Yea: (7) Milde, Snellings, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

<u>Work Session: 2009 Year in Review</u> Ms. Cathy Riddle, Public Information Administrator, gave a presentation and responded to Board members questions.

Recess At 2:44 P.M., the Chairman declared a recess.

<u>Call to Order</u> At 2:56 P.M., the Chairman called the meeting back to order.

Work Session: Finance and Budget; Mid-Year Review Budget Director, Ms. Nancy Collins, gave a presentation and responded to Board members questions. Mr. Milde requested that the County Administrator provide the cost of the Library's debt service to the Board. Mr. Baroody was asked to provide a listing of the Parks Bond projects to the Board at the February 2, 2010 meeting.

Following the Mid-Year Review, Ms. Tammi Ellis, Executive Director of Organizational Management, gave a presentation on the Stafford Value Index and responded to Board members questions.

Work Session: Sheriff; Compensation Issues Mr. Charlie Jett, Sheriff, gave a presentation and answered Board members questions. Sheriff Jett expressed his appreciation for the funds given by the Board for bonuses to deputies and noted that there were changes he would like to make. Sheriff Jett requested a stipulation that only sworn deputies and 911 dispatchers would receive a bonus. All employees would also have to be employed by the County for at least one year. In addition, deputies and dispatchers would be asked to sign a Memorandum of Agreement stating that any employee leaving County employment within one year of receiving the bonus would have to return it.

Mr. Crisp motioned, seconded by Mr. Sterling to support Sheriff Jett's proposal.

The Voting Board tally was:

Yea: (6) Crisp, Sterling, Snellings, Dudenhefer, Stimpson, Woodson

Nay: (1) Milde

Work Session: Planning and Zoning; 2010 Census and the Complete Count Committee Planner, Ms. Amy Ansong, gave a presentation and responded to Board members questions. Ms. Ansong announced that the U.S. Census Bureau Bus Tour would come through the County and make a stop at the Central Rappahannock Regional Library on February 16th from 10:00 a.m. to 12:00 noon.

Mr. Dudenhefer appointed the following members of the Board to the Complete Count Committee (CCC): Mr. Paul Milde was appointed Chair; Mr. Gary Snellings and Mr. Robert "Bob" Woodson were appointed as members. They were tasked with organizing the Committee and bringing back to the Board on February 2, 2010, a list of nominees for membership on the CCC.

Work Session: Legislative; Boards, Authorities, Committees and Commission (BACC)

<u>Vacancies</u> Mr. Dudenhefer discussed the remaining vacancies on BACCs and the following appointments were made:

ADA Grievance Committee: Mr. Bruce Bixby will serve as a member.

<u>Agricultural Commission/PDR</u>: Mr. Bob Hunt will serve for Aquia District. The Hartwood District appointee was deferred.

Architectural Review Board: Mr. Tab Blazek resigned. Mr. Romanello will ask the Planning Director, Mr. Jeff Harvey, to look for a replacement for the Architectural Historian and an appointee from the Planning Commission.

<u>Architectural Review Board for Centreport</u>: Mr. Jeff Harvey was asked to refer the vacancy to the Planning Commission for appointment.

Building Code of Appeals: Lloyd Chittum will serve for Hartwood District.

Board of Zoning Appeals: Mr. Dudenhefer requested that 3 alternate positions be added.

<u>Fire Prevention Code of Appeals</u>: Staff was asked to talk with Mr. Samar Shalaby concerning his desire to serve as the Builder representative.

<u>Historical Commission</u>: George Washington District appointee was deferred.

Military Affairs Council: Mr. Crisp will serve and Ms. Stimpson will be an alternate.

<u>Parks and Recreation Commission</u>: Hartwood District was deferred. Per Mr. Dudenhefer, the ex-officio positions from the Planning Commission and School Board should be added back onto the roster of the Parks and Recreation Commission.

<u>Rappahannock Area on Aging</u>: Ms. Betty Schwartz was appointed to serve as a member at large.

Rappahannock Area Youth Commission: Ms. Donna Krauss and Mr. Mike Lovitt will serve.

<u>Rappahannock Juvenile Detention Commission</u>: Mr. Anthony Romanello, Mr. William Tignor and Ms. Nancy Collins will serve.

Rappahannock Regional Solid Waste Management Board: Mr. Snellings will serve.

<u>Regional Landfill Civil War Site Steering Committee</u>: Mr. Jeff Harvey was asked to refer the Planning Commission vacancy to them for appointment.

<u>Stafford Museum and Cultural Center</u>: Mr. Woodson deferred the appointments from the Griffis-Widewater District.

Thurman Brisben Center: Ms. Donna Krauss will serve as Stafford County's appointee.

<u>Transportation Impact Fees Board of Appeals</u>: County Attorney, Joe Howard, reminded the Board that the Transportation Impact Fee ordinance requires revisions and asked the Board to discuss this item at a future meeting.

Wetlands Board: There were no nominations submitted for the two existing vacancies.

<u>Widewater Community Development Authority</u>: Treasurer, Laura Rudy, will assist the Board in finding a commercial finance representative for the Widewater CDA.

<u>Legislative</u>; <u>Closed Meeting</u> At 4:35 p.m., Mr. Sterling motioned, seconded by Mr. Snellings to adopt proposed Resolution CM10-03.

The Voting Board tally was:

Yea: (7) Sterling, Snellings, Crisp, Dudenhefer, Milde, Stimpson, Woodson

Nay: (0)

Resolution CM10-03 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice regarding (1) Currently pending litigation involving Stafford County; (2) the R-Income Properties and Airport Business Group Rezoning application; and (3) a Personnel matter; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 19th day of January, 2010, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 6:25 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Woodson motioned, seconded by Mr. Sterling to adopt proposed Resolution CM10-03a.

The Voting Board tally was:

Yea: (7) Woodson, Sterling, Crisp, Dudenhefer, Milde, Snellings, Stimpson

Nay: (0)

Resolution CM10-03a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 19, 2010

WHEREAS, the Board has, on this the 19th day of January, 2010 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 19th day of January, 2010, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

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Mr. Milde motioned, seconded by (unknown), to authorize the County Attorney and outside counsel to settle the Aquia Commercial litigation against the County dealing with the requested rezoning of a three acre parcel adjacent to the Hills of Aquia, in accordance with terms discussed with the Board in Closed Meeting.

The Voting Board tally was:

Yea: (4) Milde, Dudenhefer, Sterling, Stimpson

Nay: (3) Crisp, Snellings, Woodson

Mr. Milde motioned, seconded by (unknown), to authorize the County Attorney to settle the Augustine Homes and Stafford Lakes litigation dealing with the Potomac River Resource Protection Overlay Ordinance in accordance with terms discussed with the Board in Closed Meeting.

The Voting Board tally was:

Yea: (5) Milde, Dudenhefer, Snellings, Sterling, Stimpson,

Nay: (2) Crisp, Woodson

Mr. Sterling motioned, seconded by Mr. Snellings, to authorize the County Attorney to withdraw the County's appeal in the Board of Supervisors v. Board of Zoning Appeals case dealing with the subdivision sign relating to Seven Lakes Estates (Christy Farms) and Seven Lakes.

The Voting Board tally was:

Yea: (7) Sterling, Snellings, Crisp, Dudenhefer, Milde, Stimpson, Woodson

Nay: (0)

Recess At 6:26 P.M., the Chairman declared a recess until 7:00 P.M.

<u>Call to Order</u> At 7:01 P.M., the Chairman called the meeting back to order.

<u>Invocation</u> Mr. Milde gave the Invocation.

<u>Pledge of Allegiance</u> Boy Scout Troop 907 led in the Pledge of Allegiance to the Flag of the United States of America.

<u>Presentation of a Proclamation to Recognize and Commend the Stafford Saints for Winning the National American Youth Football Championship</u> Mr. Woodson presented the proclamation.

Mr. Milde made a short statement on the recent passing of Charlie Robertson, a member of Stafford Volunteer Fire Department Company 2, where he served as president.

<u>Legislative</u>; <u>Presentations by the Public</u> The following persons desired to speak.

Linda Musselman - At-Large Chairman

Pastor Daniel Jones - At-Large Chairman / Bipartisanship

Paul Waldowski - Dumpsters / Water Bills / Commuter Parking

Ruth Carlone - At-Large Chairman

John Lynch - Support for Library

Joan Bitely - Support for Library

Melvin Allen, Sr. - Racial Profiling by deputies

Kandy Hilliard - At-Large Chairman

Skip Causey - At-Large Chairman

George Schwartz - BPOL

Terry Wellborn - At-Large Chairman

Ozzie Ramos - Racial Profiling / At-Risk Children

Fred Cannon - At-Large Chairman

Otha Combest - At-Large Chairman

Keith Angle - At-Large Chairman

Laura Sellers - BRAC

Mike Lovitt - At-Large Chairman

Vincent Ellis - At-Large Chairman / Tea Party / Profiling

Lou Silver - BPOL

Economic Development; Enact and Amend Stafford County Code to Add Chapter 23A, Entitled "Technology Zones" Mr. Tim Baroody, Deputy County Administrator/Director of Economic Development, gave a presentation and answered Board members questions.

The Chairman opened the public hearing. The following persons desired to speak:

Ruth Carlone

Lou Silver

The Chairman closed the public hearing.

Mr. Crisp motioned, seconded by Mr. Sterling to adopt proposed Ordinance O10-02. The Voting Board tally was:

Yea: (7) Crisp, Sterling, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay: (0)

Sheriff; Amend and Reordain Stafford County Code, Chapter 15, by Adding Article VII Entitled "Towing Motor Vehicles / Trespassing on Private Property" Mr. Charlie Jett, Sheriff, gave a presentation and answered Board members questions.

The Chairman opened the public hearing. The following persons desired to speak:

Tabathe Canter

Kimberly Davidson

Jennifer Dunn

Diane Kelly

Ray Hodge

Chris Shank

Tracy Kelly Cox

Jeff Cox

The Chairman closed the public hearing.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O10-07 as proposed and to revisit the heavy towing fee issue at a later date for possible changes.

Ms. Stimpson made a substitute motion, seconded by Mr. Woodson, to refer this item back to the Tow Advisory Board asking them to revisit the heavy towing charges, and

also requested that State language be included requiring property owners be onsite during regular hours and providing verbal confirmation after hours.

The Voting Board tally was:

Yea: (5) Stimpson, Woodson, Crisp, Dudenhefer, Snellings

Nay: (2) Milde, Sterling

<u>Planning and Zoning; Grant Easements to Potomac and Rappahannock Transportation</u>

<u>Commission (PRTC) Authorizing Ingress and Egress Utility Access</u> Mr. Anthony

Romanello, County Administrator gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-09. The Voting Board tally was:

Yea: (6) Milde, Stimpson, Sterling, Dudenhefer, Snellings, Woodson

Nay: (0)

Absent: (1) Crisp

Additions/Deletions to the Regular Agenda

Mr. Sterling motioned, seconded by Mr. Milde to add Item 23e - Discuss Onville Road and Telegraph Road Intersections; Item 23f - Provide Guidance to the Planning Commission Regarding the Comprehensive Plan; Item 23g - Local Composite Index (proposed Resolution R10-41); and 23h - Parks and Recreation Commission Bylaws.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Legislative; Consent Agenda

Mr. Milde motioned, seconded by Mr. Crisp, to adopt the Consent Agenda consisting of Items 10 thru 20, removing Items 13, 14, 17 and 18.

The Voting Board tally was:

Yea: (7) Milde, Crisp, Dudenhefer, Snellings, Sterling, Stimpson, Woodson

Nay: (0)

Item 10. Finance and Budget; Approve Expenditure Listing

Resolution R10-15 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED JANUARY 5, 2010 THROUGH JANUARY 18, 2010

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January 2010 that the above-mentioned EL be and hereby does approve.

Item 11. Fire and Rescue; Acceptance of Department of Homeland Security Grant Funds for "Citizen Preparedness"

Resolution R10-11 reads as follows:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDING FOR THE COMMUNITY EMERGENCY RESPONSE TEAM (CERT)

WHEREAS, the Department of Homeland Security has awarded the Fire and Rescue Department a grant in the amount of \$6,500; and

WHEREAS, this grant is administered by the Commonwealth of Virginia through the Virginia Department of Emergency Management and requires no local match; and

WHEREAS, these funds will be used to purchase equipment for the CERT team, fund recruiting initiatives, and cover the cost of instructors to provide training;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the County Administrator be and he hereby is authorized to budget and appropriate grant funding in the amount of Six Thousand Five Hundred Dollars (\$6,500) from the Department of Homeland Security to the General Fund, Fire and Rescue Department.

Item 12. Sheriff Approve Amendments to the Criminal Justice Academy

Resolution R10-13 reads as follows:

A RESOLUTION TO APPROVE PROPOSED AMENDMENTS TO THE RAPPAHANNOCK REGIONAL CRIMINAL JUSTICE ACADEMY CHARTER TO ALIGN WITH UPDATED VIRGINIA CODE SECTIONS AND STREAMLINE THE PROCESS FOR FUTURE AMENDMENTS AS NEEDED.

WHEREAS, the Board authorizes the following proposed amendments:

- 1. Amend Section (1) to reference Code of Virginia Section 15.2-1747, the current applicable state law under which such agreements are legislated.
- 2. Amend Section (3) to bring the terms of withdrawal from membership in the Academy to comply with Virginia Code Section 15.2-1747.
- 3. Amend Section (4) to specify the member composition of the Academy Board of Directors and to place the conduct of the Board's annual meeting under the responsibilities of the Board Chairman or Executive Committee.
- 4. Amend Section (5) (B) to place the establishment of the shared operating budget and it appropriations under the responsibilities of the Academy Board.
- 5. Amend Section (7) to allow the Academy Board's Executive Committee to recommend minor amendments to the Charter as needed to remain in compliance with any change in state or federal law.
- 6. Amend Section (7) to permit any other amendments to the Academy Charter only with approval from the governing bodies of three-fourths of the original member jurisdiction.

WHEREAS, there will be no fiscal impact related to this proposal;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the proposed amendment changes requested by Stafford County Sheriff Charles E. Jett, Member of the Board of Directors of the Rappahannock Regional Criminal Justice Academy, be and hereby is authorized and affirmed.

<u>Item 15. Utilities; Award Contract for Process Chemicals for Water Treatment Facilities</u> <u>Resolution R10-27 reads as follows:</u>

A RESOLUTION TO AUTHORIZE A CONTRACT FOR WATER TREATMENT CHEMICALS

WHEREAS, the Department of Utilities needs to purchase process chemicals for use at its water treatment facilities, and

WHEREAS, funds are available in the FY2010 Operating Budgets for the purchase of these chemicals from February 1 through June 30, 2010; and, subject to Board adoption and appropriation of funds for FY2011, from July 1, 2010 through January 31, 2011;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January 2010, that the County Administrator be and he hereby is authorized to execute a contract with Univar USA Inc. in an amount not to exceed Three Hundred Sixty-nine Thousand Five Hundred and Fifty-two Dollars (\$369,552) for the purchase of process chemicals for the water treatment facilities.

<u>Item 16. Public Information; Approve Proclamations to:</u>

Proclamation P10-01 reads as follows:

RECOGNIZE AND COMMEND THE STAFFORD SAINTS FOR WINNING THE NATIONAL AMERICAN YOUTH FOOTBALL CHAMPIONSHIP

WHEREAS, the Stafford Saints football team, who compete in the American Youth Football (AYF) and Virginia American Youth Football Alliance, is a "cadet division" squad composed of players ranging in age from eight to ten years; and

WHEREAS, these young men, under the expert guidance of head coach Aaron Tweedy and assistant coaches Matt Sumpter, Brian Floyd, Brian Scott and Philip Boatwright, began practicing for the 2009 season in May when they attended local football camps; continued honing their skills in late July during scrimmages two hours a day, four days a week; and practiced twice each week through early December once school began; and

WHEREAS, the Saints finished the season 11-0, outscoring their opponents 409-32 overall, earning recognition as the only undefeated AYF cadet team in the country in 2009, and the first Stafford AYF team to win a national championship; and

WHEREAS, the Stafford Saints earned a berth in the national AYF playoffs held in Orlando, Fla. in December, beating the Palo Alto Knights from California by a score of 40 to 4; overcoming the Leyden Bears of Chicago 32 to 6; and prevailing 52 to 14 in the final playoff game against the Spirit of Faith Warriors from Temple Hills, Md.; and

WHEREAS, the Saints finished the season 11-0, outscoring their opponents 409-32 overall, earning recognition as the only undefeated AYF cadet team in the country in 2009, and the first Stafford AYF team to win a national championship; and

WHEREAS, the following Stafford Saints team members are to be commended for their outstanding season: Ahmad Tweedy, Brendan Sumpter, Darnell Lardge Jr., Donovan Brooks, Joseph Hardee, Eric Zimmerman, Braydon Floyd, Armani Murphy, Jakob Norman, Michael Donlon, Landon Woodson, Kennard McNeal, Brian Buckholtz

Jr., Nicholas Ashton, Joseph Chavarria, Kyle Kennan III, Blair Scott, and Jashaad Santiago-Boatwright; and

WHEREAS, the Board desires to recognize the Stafford Saints players and their parents, coaches, business sponsors and financial sponsors for an outstanding season that illustrates the spirit of teamwork and a steadfast dedication to reaching a goal;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the Stafford Saints be and they hereby are commended for winning the American Youth Football championship.

Proclamation P10-02 reads as follows:

DECLARE THE WEEK OF FEBRUARY 7 – 13, 2010 AS FUTURE BUSINESS LEADERS OF AMERICA-PHI BETA LAMBDA WEEK IN STAFFORD

WHEREAS, the Future Business Leaders of America-Phi Beta Lambda (FBLA-PBL) is a nonprofit educational organization that offers unique business development programs to middle and high school students, enrollees at universities and colleges, and people attending technical and private business schools; and

WHEREAS, established in 1942, FBLA-PBL has more than 250,000 members nationwide, and sponsors programs that teach leadership techniques, communication skills and team dynamics through innovative leadership and career training programs; and

WHEREAS, FBLA-PBL members are provided with varied opportunities to work in "real-world" settings in businesses, industries, and other organizations to practice the skills they learn in the classroom; and

WHEREAS, the FBLA-PBL chapters at Brooke Point High School, Colonial Forge High School, Mountain View High School, North Stafford High School and Stafford High School are comprised of more than 500 members who have dedicated themselves to achieving excellence and made a commitment to learn and deal with the realities of the modern business world; and

WHEREAS, the Board desires to bring attention to the achievements of these outstanding young men and women as they prepare themselves to transition from school to work in a global and ever-changing economic environment;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the week of February 7 – 13, 2010 be and it hereby is declared as Future Business Leaders of America-Phi Beta Lambda Week in Stafford.

Item 19. Legislative; Adoption of a Resolution to Revise and Readopt Performance-Based Annual Compensation for Board Member Cord Sterling, Rock Hill District Supervisor, Stafford County Board of Supervisors

Resolution R10-23 reads as follows:

A RESOLUTION TO REVISE AND RE-ADOPT PERFORMANCE-BASED ANNUAL COMPENSATION FOR BOARD MEMBER CORD STERLING OF THE STAFFORD COUNTY BOARD OF SUPERVISORS

WHEREAS, Section 15.2-1414.2 of the Code of Virginia (1950), as amended, provides that the "annual compensation to be allowed each member of the board of supervisors of a county shall be determined by the board of supervisors of such county but such compensation shall not be more than a maximum" that is determined by a majority vote of the Board; and

WHEREAS, on January 5, 2010 a majority vote of the Board set the maximum compensation for Supervisors at \$20,500; and

WHEREAS, the Code of Virginia (1950), as amended, does not prohibit Boards from tying payment of compensation, or portions thereof, to achievement of specific goals; and

WHEREAS, the goals of Stafford County include a quality educational system, improvements to its transportation network, improvements to public safety, and the maintenance of fiscal responsibility; and

WHEREAS, Supervisor Cord A. Sterling has requested that a portion of his salary be tied to the achievement of the goals of Stafford County; and

WHEREAS, Supervisor Sterling has requested that any of his salary forfeited due to the failure of the County reaching its goals be donated equally to the PTO's of the elementary and middle schools serving the Rock Hill District;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of January, 1020 that beginning in Fiscal Year 2010, 20% of the compensation for Supervisor Cord A. Sterling shall only be paid if specific priority goals are achieved as follows:

- 1. 5% shall only be paid only if Stafford County demonstrates fiscal responsibility as follows:
 - a. 2.5% on October 1st of each year if Stafford County has a balanced budget for the previous year without reducing the fund balance below the County's fiscal goals; and
 - b. 2.5% on July 1st of each year only if the average Stafford County taxpayer does not incur an increased county tax burden (except in those cases where the citizens specifically approve such an increase as part of a bond referendum passed by a majority of the voters).

- 2. 5% shall be paid upon the receipt of validated data only if student scores in Stafford schools exceed the average scores of peer school divisions as outlined in appendix 1; and
- 3. 5% shall only be made available upon receipt of validated data if public safety improves as follows:
 - 2.5% if there is a reduction in the Group A (major crimes) crime rate, and 2.5% if there is a reduction in fire and rescue response times; and
- 4. 2.5% shall be paid on April 1st of each year only if Stafford County meets its annual Transportation Improvement Plan targets on time and on budget; and
- 5. 2.5% shall be paid on April 1st of each year only if Stafford County meets its Parks and Recreation Bond targets on time and on budget.

BE IT FURTHER RESOLVED that if goals outlined above are not achieved, those portions of the Supervisor Sterling's compensation will be donated equally to the PTO's of the elementary and middle schools serving the Rock Hill District.

Item 20. Utilities; Award Contract for Construction of the Aquia Dewey Sewage Pump

Station Replacement

Resolution R10-32 reads as follows:

A RESOLUTION TO AWARD A CONTRACT FOR CONSTRUCTION OF THE AQUIA AT DEWEY SEWAGE PUMP STATION REPLACEMENT

WHEREAS, the Board has appropriated funds in the Utilities' Department's FY 2010 Capital Improvements Projects (CIP) budget to be expended for the Aquia at Dewey Sewage Pump Station Replacement project; and

WHEREAS, the construction services required to construct the replacement station were offered for competitive bid. Of the six responding bids, the lowest responsive and responsible bid was from W. C. Spratt, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January 2010, that the County Administrator be and he hereby is authorized to execute a contract with W.C. Spratt, Inc., for construction of the Aquia at Dewey Sewage Pump Station replacement at a cost not to exceed Six Hundred Sixty- nine Thousand Dollars (\$669,000).

Economic Development; National Park Service General Management Plan Mr. Tim Baroody, Deputy County Administrator/Director of Economic Development gave a presentation and answered Board members questions. Mr. Milde requested that Mr.

Baroody suggest to the National Park Service that, in the future, they include the name of Stafford County as well as the Stafford County Civil War Landfill Sites.

Mr. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution R10-14. The Voting Board tally was:

Yea: (7) Milde, Snellings, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Resolution R10-14 reads as follows:

A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NATIONAL PARK SERVICE GENERAL MANAGEMENT PLAN

WHEREAS, it is in the best interest of Stafford County to promote tourism and increase tourism revenue, while enhancing the visitor experience and community education at our many important heritage tourism assets; and

WHEREAS, the National Park Service (NPS) has begun to write its "General Management Plan", the document that provides the overall direction for the future management of each unit in the National Park system. During this process a team of planning professionals, natural and cultural resource specialists and consultants work to develop the plan in coordination with interested citizens, organizations and government agencies; and

WHEREAS, the plan once completed will provide a framework for managers to use in making decisions about how best to protect resources, what levels and types of uses are appropriate, what facilities should be developed and how people should access the park; and

WHEREAS, the Board, in a letter dated January 19, 2010, is providing definitive suggestions as to how the National Park Service might increase and extend its role in the County by devoting resources to promote the Stafford History story, altering the name of the park or the Chatham property to include the name of Stafford, preserve a greater number of specific historic assets including the Moncure Conway House, provide more specific educational resources to school children, especially in Stafford, using Chatham as the perfect backdrop detailing the local history of their home county that mirrors the exact story that thousands of visitors travel hundreds of miles to learn; and

WHEREAS, the Stafford Story is a nationally significant story depicting the struggle for independence against tyranny, the birth of a nation, the unraveling of our national fabric during our greatest conflict, the struggle for freedom for thousands of enslaved people and finally the knitting together again of the fabric to promote freedom and equality for all; and

WHEREAS, riverfront trails are in various stages of development on both side of the Rappahannock River. Stafford County desires the assistance of the NPS in completing envisioned trail systems to provide unique opportunities to access Chatham by way of the "Heritage Loop" trails;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that it be and hereby does support the initiatives as stated within the attached letter and wholeheartedly encourages the inclusion of these initiatives in the General Management Plan of the Fredericksburg and Spotsylvania National Military Park.

<u>Utilities</u>; Award Contract to Provide and Install New Water Telemetry and Data <u>Acquisition Systems</u> Mr. Harry Critzer, Director of Utilities answered Board members questions.

Mr. Sterling motioned, seconded by Mr. Crisp, to adopt proposed Resolution R10-19. The Voting Board tally was:

Yea: (7) Sterling, Crisp, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-19 reads as follows:

A RESOLUTION TO AUTHORIZE A CONTRACT TO PROVIDE AND INSTALL A NEW WATER TELEMETRY SYSTEM AND DATA ACOUISITION SYSTEM

WHEREAS, the Stafford County Department of Utilities issued Request for Proposal (RFP) #69094 to solicit proposals for materials, installation, and startup services for a replacement water telemetry and Supervisory Control and Data Acquisition system; and

WHEREAS, staff evaluated those submitted proposals and subsequently interviewed and evaluated a short list of those firms who responded; and

WHEREAS, funds have been budgeted and appropriated in the FY2010 budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the County Administrator be and hereby he is authorized to execute a contract with InstruLogic Corporation in an amount not to exceed Two Hundred Sixty Thousand, Four Hundred Dollars (\$260,400) for a replacement water telemetry system as described by RFP #69094.

<u>Finance and Budget; FY2010 Mid-Year Appropriation</u> Mr. Snellings motioned, seconded by Mr. Sterling to adopt proposed Resolution R10-34 with changes.

The Voting Board tally was:

Yea: (7) Snellings, Sterling, Crisp, Dudenhefer, Milde, Stimpson, Woodson

Nay: (0)

Resolution R10-34 reads as follows:

A RESOLUTION TO APPROPRIATE FY 2010 MIDYEAR FUNDS

WHEREAS, FY 2009 audit and FY 2010 midyear review shows sufficient funds to appropriate the remaining FY 2010 General Government budget and the Local School transfer; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that it be and hereby does appropriate the General Fund and School Operating Budgets for FY 2010 as follows:

General Fund:	11,002,484
School Operating Transfer	4,771,933
Capital Projects	13,888
Central Rappahannock Regional Library	297,787
Commissioner of the Revenue	190,683
Commonwealth's Attorney	196,051
Comprehensive Services Act Office	295,915
Cooperative Extension	13,750
Corrections	420,940
County Administration	74,323
Courts	166,043
Finance and Budget	106,798
Fire and Rescue	933,113
Human Resources	45,294
Information Technology	146,407
Non-Departmental	123,550
Parks, Recreation & Community Facilities	671,857
Partner Agencies	118,077
Planning and Zoning	175,333
Public Works	271,729
Sheriff	1,245,663
Social Services	588,654
Treasurer	134,696
School Operating Fund	4,771,933

Recess At 9:36 P.M., the Chairman declared a recess.

<u>Call to Order</u> At 9:46 P.M., the Chairman called the meeting back to order.

<u>Human Resources</u>; Consider Retirement and Voluntary Reduction in Force (V-RIF) <u>Incentives for County Employees</u> Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolutions R10-21 and R10-22.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-21 reads as follows:

A RESOLUTION TO CONSIDER A RETIREMENT INCENTIVE PROGRAM FOR ELIGIBLE COUNTY EMPLOYEES

WHEREAS, staff is investigating ways to reduce payroll and benefit costs during these tough economic times; and

WHEREAS, Retirement Incentives could be a way to reduce costs by allowing eligible employees to retire from service and receive an additional monetary benefit; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the Board be and hereby does authorize the County Administrator to solicit interest of County employees in the Retirement Incentive Program and present the results to the Board for consideration at a future meeting.

Resolution R10-22 reads as follows:

A RESOLUTION TO CONSIDER A VOLUNTARY REDUCTION-IN-FORCE (V-RIF) PROGRAM FOR COUNTY EMPLOYEES

WHEREAS, staff is investigating ways to reduce payroll and benefit costs during these tough economic times; and

WHEREAS, a Voluntary Reduction-in-Force (V-RIF) could be a way to reduce costs by allowing employees to vacate their jobs and receive a monetary benefit; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that the Board be and hereby does authorize the County Administrator to solicit interest of employees in the Voluntary

Reduction-in-Force program and present the results to the Board for consideration at a future meeting.

Planning and Zoning; Reclassify from A-1, Agricultural, and B-3, Urban Commercial Zoning District on Assessor's Parcels 38-76A, 38-76B (Portion), 38-76C, 38-76E, 38-76F, 38-76G, 38-77 (Portion) and 38-80, Located at the South End of Wyche Road Mr. Sterling motioned, seconded by Mr. Milde, to defer this item to the February 16th meeting.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Public Works; Request Virginia Department of Transportation to Provide Information for the Consideration of Improving and Accepting Raven Road into the Rural Addition Program Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R10-35.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-35 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO PROVIDE INFORMATION FOR THE CONSIDERATION OF IMPROVING AND ACCEPTING RAVEN ROAD INTO THE RURAL ROAD ADDITION PROGRAM

WHEREAS, the Virginia Department of Transportation (VDOT), pursuant to the Code of Virginia, Section 33.1-72.1 allows private streets to be improved and accepted into the Secondary System of State Highways, through its Rural Road Addition Program; and

WHEREAS, the County received a petition from the adjoining landowners on Raven Road, from the end of state maintenance of Raven Road (SR-609) to Brooke Road (SR-608), to have the private road improved through the VDOT Rural Road Addition Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that it be and hereby does request VDOT to provide alignment options, right-of-way and utilities impacts, and cost

estimates for each option, for the purpose of improving and accepting Raven Road into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the VDOT Residency Administrator.

Discuss Planning Commission's Advertising Budget Mr. Dudenhefer discussed the request by the Planning Commission to consider additional funding to their advertising budget. Following discussion by the Board, Mr. Snellings motioned, seconded by Mr. Sterling to provide the following funds to the Planning Commission's budget: \$3,437.88 + \$3,162.12 = \$6600.00. The request for an additional \$13,801.81 will be considered at the time that the RPOD is brought back before the Board.

The Voting Board tally was:

Yea: (7) Snellings, Sterling, Milde, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

<u>Discuss Not-for-Profits Community Engagement</u> Ms. Stimpson commented that she had been working with Ms. Donna Krauss, Human Services and introduced Ms. Krauss. She suggested that the County set up a link on its website enabling citizens to donate to various charitable organizations. Mr. Snellings suggested that a direct link to each organization be set up. Ms. Krauss will look into this further and bring a proposal back to the Board.

<u>Discuss Employee Efficiency Incentive Program</u> Ms. Stimpson motioned, seconded by Mr. Milde, to defer this item to the February 2nd meeting.

The Voting Board tally was:

Yea: (7) Stimpson, Milde, Sterling, Crisp, Dudenhefer, Snellings, Woodson

Nay: (0)

<u>Discuss At-Large Chairman</u> Mr. Milde noted that he brought this item to the Board on three separate occasions, and still feels like it would be something that would benefit the citizens of Stafford County and asked that the Board support this by sending the matter on to the voters.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R10-40.

The Voting Board tally was:

Yea: (2) Milde, Sterling,

Nay: (5) Crisp, Dudenhefer, Snellings, Stimpson, Woodson

<u>Discuss Onville Road and Telegraph Road Intersections</u> Mr. Sterling motioned, seconded by Mr. Crisp that the County draft a letter supporting legislative priority for BRAC to the Federal Delegation.

The Voting Board tally was:

Yea: (7) Sterling, Crisp, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay: (0)

<u>Discuss Providing Guidance to the Planning Commission Regarding the Comprehensive Plan</u> Mr. Dudenhefer motioned, seconded by Mr. Sterling, that the Board would like the completed document to be presented at the Board of Supervisors June 1, 2010 meeting. The Voting Board tally was:

Yea: (7) Dudenhefer, Sterling, Crisp, Milde, Snellings, Stimpson, Woodson

Nay: (0)

<u>Discuss Local Composite Index</u> Mr. Crisp motioned, seconded by Mr. Snellings to adopt proposed Resolution R10-41.

The Voting Board tally was:

Yea: (7) Crisp, Snellings, Dudenhefer, Sterling, Milde, Stimpson, Woodson

Nay: (0)

Resolution R10-41 reads as follows:

A RESOLUTION TO OPPOSE DELAYED IMPLEMENTATION OF 2010-2012 LOCAL COMPOSITE INDEX

WHEREAS, the composite index of local ability to pay Local Composite Index (LCI) is the measure used to determine the state and local shares of K-12 education costs,

and is based upon the County's total adjusted gross income, taxable retail sales and true value of real property; and

WHEREAS, the County's LCI is scheduled to drop from .3629 to .3362 as a result of the difficult economic times the County is facing and reflecting the County's decreased ability to pay for K-12 education; and

WHEREAS, as a result of this scheduled change, the County would receive nearly 66.4 percent funding from the state for K-12 education, rather than the 63.7 percent it currently receives; and

WHEREAS, the proposed executive budget for the FY10-12 biennium would defer the composite index update until FY2012, costing the County approximately \$4 million in education funding in the midst of one of the most significant downturns in local revenues ever experienced by the County; and

WHEREAS, while imperfect, the LCI has been the Commonwealth's accepted measure of local ability to pay for K-12 education and the K-12 funding formulas must be implemented consistently, fairly and equitably so all localities benefit from their partnership with the Commonwealth; and

WHEREAS, while this proposal disproportionately penalizes many rapidly growing localities in the current year, this breach of trust will be felt by urban, suburban and rural localities across the Commonwealth both now and in the future; and

WHEREAS, the Board desires to join the Stafford County School Board in expressing it's opposition to this proposed delay in implementing the update of the local composite index;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of January, 2010, that it does hereby express its strong opposition to the arbitrary delay in the implementation of the routine biennial update to the FY2010-2012 Local Composite Index contained in the proposed executive budget; and

BE IT FURTHER RESOLVED, that the Board requests the Stafford County School Board to adopt a similar statement of opposition and that a joint communication signed by the Chairs of the Board of Supervisors and School Board be sent to the members of the General Assembly representing Stafford County and to the Governor of Virginia.

Adjournment At 11:05	P. M. the	Chairman	declared th	e meeting	adjourned.
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Anthony J. Romanello, ICMA-CM Mark Dudenhefer

County Administrator Chairman